

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Peter John GARRETT et al.
Title: *CRYSTAL STRUCTURE OF ERBB2 AND USES THEREOF*
Appl. No.: 10/529,887
Filing Date: 11/28/2005
Examiner: David J. Steadman
Art Unit: 1656
Confirmation Number: 7746

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to an Office Action mailed January 15, 2008, Applicant hereby elects Group III, claims 63-64 drawn to an antibody that binds to an ErbB2 polypeptide. This election is made without traverse.

Applicants reserve the right to file divisional applications directed to the subject matter of the non-elected claims.

Receipt of the initial Office Action on the merits is awaited. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees, which may be required regarding this application under 37 CFR §§ 1.16-1.17, and to credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment accompany this response, then the Commissioner is authorized to charge the unpaid amount to the same deposit account.

Respectfully submitted,

Date 13 February 2008

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

By S. A. Bent

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768